

Hirschleifer

BUREAUCRACY
AND DEMOCRACY IN
LABOR UNIONS

By

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FOREWORD

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Human dignity and freedom must be achieved within the framework of organizations of various kinds and organizations are subject to disorders that limit and thwart this achievement. One of the more serious of these disorders is "bureaucracy."

Bureaucracy is an organic disease, and its germs are at work in the body of every large-scale enterprise—be it government, labor, industry, or other social forms. Despite bureaucracy's prevalence, persistence and its hookworm type of corporeal disintegration, there have been few clinical studies of it. As Executive Secretary of the TNEC, I authorized a survey of business bureaucracy which is helpful just as a primer is helpful.

Will Herberg, in his analysis of labor union bureaucracy, has served as a sympathetic diagnos-

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tician, and not as an enemy seeking excuse for annihilation of the patient. He has not withheld unpleasant discoveries in order to minimize mental anguish. Rather, he has published his findings and interpretations, and these form the best possible basis of prescriptions for recovery. Like all wise physicians, he has indicated that the patient's will to live a democratic life is more important than any medication or surgery.

LEON HENDERSON

BUREAUCRACY AND DEMOCRACY IN LABOR UNIONS

Trade unionism in this country presents a curious paradox. The ordinary rank-and-file union member frequently enjoys less freedom in relation to his own union leader than he does in relation to his employer. Against the arbitrary power of the "boss" he often has protection considerably more effective than against that of the union official. In the administration of his own organization, he sometimes has less to say than, thanks to collective bargaining, he has in the affairs of his shop or factory.

Members of unions, even progressive unions, are on occasion exposed to severe penalties for exercising rights, such as forming "parties," issuing leaflets, holding meetings, denouncing officials, that are specifically guaranteed under the law of the land. Even in democratic unions, the effective power of top officials is greater, their grip tighter, their tenure more secure, their conduct in office less open to public criticism and control, than is commonly the case in our federal or state governments in nor-

mal times. These are all facts of ordinary experience, which only special pleading can deny or attempt to explain away.

And yet the trade-union movement in which these things can and do happen emerged historically as a democratic protest against arbitrary power and oppression. It has always claimed to be the champion of a higher and fuller democracy than prevails in our capitalistic society generally and to provide an exemplification of such democracy within its own ranks.

It is the purpose of this article to examine this paradox and the problems behind it. The method is one of institutional analysis that looks for determining factors in the underlying features of structure and function, embedded, of course, in a specific social environment, which, for our purposes, need not be more than indicated.

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If one examines a modern trade union empirically, i.e., as a going concern, a functioning institution, one is struck by its essentially dual nature. A modern labor union is, at one and the same time: (1) a businesslike service organization, operating a variety of agencies under a complicated system of industrial relations; and (2) an expression and vehicle of the historical movement of the submerged laboring masses for social recognition and

democratic self-determination. This irreducible duality of nature necessarily results in a fundamental conflict of purpose and orientation. As a businesslike service organization, the union requires efficient bureaucratic administration, very much like a bank or insurance company. The members of the union are merely clients who are entitled to the best service for their money but who certainly should not presume to interfere in matters of administration, since such matters are properly the function of trained and experienced officials specially selected for the purpose. But as a phase of the democratic self-liberation movement of modern times, the union is an idealistic, quasi-religious collectivity; it is a crusading reform movement of which the members, the masses, and their democratic self-expression are the very essence.

The union, as an institution, is thus in the grip of a very real contradiction. Each side of this contradiction, each functional aspect, generates its own appropriate habits and attitudes, so that the institutional cleavage is reflected not only in a cleavage between leaders and rank and file but in a cleavage within the bureaucratic personnel, and not infrequently in a sort of psychic cleavage in the leaders themselves, who may have to function simultaneously as bureaucratic administrators and leaders of mass movements.

In the early days of unionism, the idealistic,

democratic, emancipatory aspect is dominant. Indeed, the movement draws its main strength from the quasi-religious spiritual resources of idealism, sacrifice and solidarity. But with the growth and entrenchment of unionism, the businesslike service aspect inevitably comes to the fore. Today, by and large, American unions have become thoroughly businesslike service agencies bureaucratically operated, like banks or insurance companies. This is a sweeping generalization that requires a number of qualifications.

In the first place, the old ideology, the old idealistic conceptions and phraseology, still persist as underlying tradition, more or less powerful. Standards of judgment follow the idealistic tradition far more closely than the facts of the case would seem to warrant. The labor official is, in a vague sort of way, expected to live up to norms appropriate not to the business executive he actually is but to a disinterested champion of a cause.

The old idealistic approach, moreover, is commonly found useful in agitation and demagogic. It reappears as a genuinely vital force in the early, militant stages of newly launched organizations (e.g., certain C.I.O. unions in 1936-37) as well as at critical moments in old, well established unions when their very existence is challenged in sharp industrial struggle. In these circumstances, the old spirit may still come to play a significant role and it

should not be ignored in any realistic institutional analysis.

It is necessary to stress, just because the discussion here must remain so schematic, that the contemporary American labor movement presents no uniform picture. There are organizations at every stage of development and the emphasis is constantly shifting. But the general pattern outlined, though abstract, seems to possess value as an explanatory concept.

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A survey of trade-union history will indicate a steady tendency for effective power to concentrate at the top. The process may be summarized in the following terms. The original regime (in British unions, and in American unions modeled after them) was a kind of primitive democracy. The membership meeting, the members in mass, constituted the legislative power. Administrative functions were vested in an executive board, elected by the members from their own midst. This board, consisting of workers employed at their trade, would divide itself into committees, with every member of the board functioning on some committee, for the purpose of handling the administrative affairs of the organization in the hours left after work. For the few specific services that required special clerical skill or full-time attention, one or

two people would be hired as agents of the executive board. These full-time employees were, strictly speaking, clerks or agents, not officials at all.

Obviously an institutional setup such as this could not last. As the organization grew and its functions expanded, the bureaucratic potential came to assume formidable proportions. A striking shift in the seat of effective power took place. The legislative power gradually passed from the membership meeting, first to the executive board, and then by a further remove, to the paid officials ("the office"). Simultaneously, the administrative functions of the executive board also passed over to the paid officials. But these paid officials had themselves completely changed in status and character. They were no longer "outside" clerks, serving as functionary agents of the executive board; they were leading members of the union, responsible, authoritative executives. Whatever technical and professional functions had to be performed, and these functions naturally multiplied, were relegated, as in any business house, to hired clerks and specialists without official standing or independent executive power.

The net effect of this evolution is to be seen more or less clearly in the institutional set-up of any large union, progressive or conservative. All power — legislative, administrative and executive (the judicial function is generally a phase of the administra-

tive-executive) — is effectively concentrated in the hands of "the office," a group of top paid officials. This group may be relatively broad, or it may consist of one man, but in essentials it is "the office" that rules. The executive board and its committees, once the actual administrative bodies of the union, become agencies of formal endorsement, rubber-stamp agencies in the literal sense of the term; in the best of cases, they also serve a vague and undefined parliamentary function, as an arena of discussion where the union leaders can feel out the sentiment of their immediate subordinates. The membership meeting becomes merely a plebiscitary body, and in the more democratic unions, also a medium through which the directives of the leadership are transmitted to the masses of members and the members aroused and inspired.

The old primitive democratic structure is never formally abolished and usually not even modified officially. It remains in a vestigial or fossilized form without greatly hampering the actual bureaucratic concentration of power. The real process of the redistribution of power takes place behind the time-honored façade of The Constitution. Yet the union constitution and its obsolete democratic arrangements are not to be written off entirely; they may become an effective force again in the comparatively rare case of membership revolt or bitter factional struggle, where the effort to revive and utilize

some long-disused democratic procedure may prove of considerable importance.

It is necessary to stress at this point that the tendency toward the upward shift and concentration of power is inherent in the very nature of the organization as it grows, its functions multiply and its responsibilities increase. Thirst for power, where it does exist (and it naturally exists almost everywhere), is essentially a secondary factor, aggravating, accelerating but certainly not originating the tendency. The bureaucratic potential has its roots deep in the very nature of organization.

Yet power politics and the struggle for power play an important role in the development outlined. Power has its own logic and imperatives. The most idealistic administration—one composed entirely of sincere, high-minded men, intent only on serving their members and putting into effect a genuinely constructive program—even such an administration, once in office, inevitably turns “practical” and “realistic”; it must. It is immediately confronted with a vast and complex mass of administrative problems that in the nature of the case can only be handled bureaucratically. It is, moreover, sooner or later confronted with an opposition that—unscrupulously, demagogically, of course—exploits moods of dissatisfaction and discontent among the members; and such moods are bound to arise for even the best administration cannot conjure away

the effects of adverse economic conditions. Caught in this predicament, the new idealistic administration, in order to beat back the onslaughts of those whom it regards as unscrupulous demagogues, is frequently compelled to resort to dubious devices, which it vehemently denounced while in opposition and which it may still sincerely deplore. It is compelled to build up and operate a political machine feeding on patronage and favors, to strain its democratic conscience a little here and there. It should be emphasized that nothing corrupt or improper in law or custom is here implied; everything may be quite legitimate, but it is not quite the old idealism, and it becomes less and less so as time goes on.

Beginning with the very best of intentions, desirous of power not for its own sake but in order to implement a constructive program, the idealist in office insensibly passes over to an increasingly exclusive absorption in power as such. This is the inescapable logic of power politics, but without power politics there is no administering or running a union.

The fundamental factors here described, it should be reiterated, arise out of the very nature of large-scale organization. Unscrupulousness, personal ambition, abnormal thirst for power, may, of course, aggravate the picture, but the tendencies indicated arise and exercise their effect in any case.

It is very largely an impersonal objective process.

The net result of the process, as has been pointed out, is the emergence of a powerful tendency toward the concentration of effective power in the hands of the top leadership of the organization, with the paid officials forming the kernel of the ruling group. The power of a union administration is frequently quite unlimited, for virtually none of the restraining factors we are familiar with in our political machinery (checks and balances, independence of the judiciary, balance of socio-economic interests) are operative. And the power of a union administration gains immensely with the extension of the union's economic control in the industry. The closed shop is obviously a source of power to union leaders, and the Wagner Act, by giving unionism government protection and a quasi-public status, operates strongly in the same direction.

Another aspect of the process is a sweeping trend toward complete bureaucratic administration—i.e., administration by a distinct group of professional functionaries, as opposed to the primitive self-administration or rank-and-file administration of earlier days. Bureaucratic administration becomes imperative at a certain stage of development of the organization if there is to be any sort of sustained, efficient and systematic administration at all. The process is greatly stimulated and extended, however, by the compulsions of power politics, for a

bureaucratized administrative machinery is certainly of immense assistance in the effort to retain power, which must be a major concern of every union leadership.

Now a bureaucratic system has two sets of institutional implications: on the one hand, it makes for better, more efficient, more objective administration; on the other, it makes for the cohesion of the professional administrators into a special group or privileged caste with its special interests, loyalties and solidarities. From the point of view of our analysis, the latter is the significant trend.

Another side of this general development is the systematic narrowing of democracy within the organization, and this in two senses: the limitation, perhaps virtual extinction, of self-government; and the restriction of the civil rights of members. It is perhaps worth while to examine this aspect at somewhat greater length.

With the expansion of bureaucratic administration, the activity of the mass of members in the organization is necessarily reduced to a minimum. Everything is done for them by full-time professional officials, first because it can be done better and more efficiently that way, and secondly because doing it that way enhances the power and control of the leadership. By and large, the members are quite satisfied to have it so—as long as things go well and they receive what they regard as the proper service

and protection from the union. And most union administrations are naturally quite as content, to say the least. Progressive administrations, with a tradition of "mass activity," do occasionally call upon the members to be "more active" but the words are really meaningless, for in an established union, functioning as a going concern, there is increasingly less and less for the members to be active about, except on the rare occasion when sharp industrial conflict breaks out. The whole matter wears a thoroughly unreal aspect because of the widening gap between the realities of the bureaucratic situation and the "mass" traditions carried over from an earlier day.

Self-government passes into a mere shadow, to be somewhat spasmodically revived on the comparatively rare occasions of membership revolt or the disruption of the "official family" through sharp internal conflict, when each faction makes its direct appeal to the masses. Normally, however, the membership meeting, constitutionally the highest legislative body of the organization, exercises merely plebiscitary power, if any at all. The top union leadership is typically surrounded by a somewhat broader group made up of the executive board members, business agents and the like and these in turn by a still broader circle of "active" members, who in some way feel that the administration is theirs. This hierarchy forms the political ma-

chine of the union and those who go to make it up are entitled to, and in fact receive, whatever patronage or favors are available. Programs or policies adopted by the top leadership are customarily canvassed among these elements first, to obtain their approval, which in most cases is merely a politic gesture, and to "start the ball rolling" by popularizing the idea. General membership meetings are usually composed of the active members supporting the administration plus the active members supporting any opposition that may exist plus whatever ordinary members can be drawn to the meeting by one or the other machine. Where no opposition exists, the meeting is simply a routine procedure to obtain official approval for the administration's acts and policies as required by the constitution and to "activize" the membership. If a factional situation does exist, the meeting may turn into a test of strength, with lines drawn tight. In either case, there is little left of actual democratic self-government.

Again it should be noted that this is generally not the fault of the leadership, if fault there be. In a large and well established union it can not be much otherwise. Progressive leaderships are frequently very anxious to have the meetings as large as possible and to stir up some genuine discussion and expression of opinion. But as long as things continue more or less normal in the industry and

union, such attempts are bound to remain largely unsuccessful. The ordinary member sees no particular reason for "wasting" his time at meetings. "Let the officials run the union, that's what they're getting paid for," just about expresses his attitude.

In other words, the process of bureaucratization and whittling down of effective democracy is not usually or necessarily a process of violent usurpation carried through against the will of the membership. By and large, it is a gradual affair, proceeding imperceptibly with the approval or at least the passive assent of the rank and file. As long as things go well, the average union member doesn't want self-government and is annoyed and resentful when an attempt is made to force its responsibilities upon him. What he wants is protection and service, his money's worth for his dues.

The situation becomes somewhat more tense when an administration does not feel quite secure in its seat of power or when it begins to develop habits of authoritarianism. Then, not merely are self-administration and self-government reduced to a minimum, as they necessarily must be in a large functioning organization, but the civil rights of the members are infringed with virtual impunity. Here, too, the mass of members do not come into question, for the mass of members—so long as things go well—are not interested in exercising civil rights in the union. But actual and potential opposition-

ists are hard hit, as well as the few "queer" people who show a concern for "good government" and democratic rights as a matter of principle. Restriction of civil rights in unions may be relatively mild and negligible, like the prohibition of intra-union groups or parties, or it may be quite severe and altogether irregular, such as outright violence and dishonest elections, but even the mildest forms are such as would hardly be tolerated in our national political life.

The discussion so far has concerned the normal regime of trade unions and very little has been said about such sensational developments as corruption, racketeering and intra-union violence, not because they are nonexistent or of no importance, but rather because from a sociological point of view they are merely secondary aggravating factors. However widespread such abuses may be, they do not constitute the basic problem of this analysis, which is the problem of democracy and bureaucracy in the honest, well-conducted union with a sincere, responsible leadership. It is the argument of this article that the emergence and spread of bureaucracy and the decay of democracy in trade unions are not abnormal excesses but are rooted in the very nature of trade-union organization and of organization in general. The very process of institutionalization, of organizational expansion, generates a powerful bureaucratic potential.

Are these tendencies utterly irresistible? Is the bureaucratic potential all-powerful? What can be done to preserve democracy in trade unions?

At this point we pass beyond objective institutional analysis into the realm of moral values and practical action. Democracy, we affirm, is in some sense desirable in and for itself and must be preserved at whatever cost. Unionism must not be permitted to complete its development toward businesslike bureaucratization. Something must be done to halt, divert or at least retard this process. These are the postulates.

I do not believe that the problem can ever be fully solved. As soon as organization develops beyond a certain point, inevitably those tendencies will emerge which go to make up the bureaucratic potential. It is a problem that transcends our social order, or any social order, and penetrates to the very nature of organization and institutional functioning.

But although the problem may never be entirely solved, certain manifest evils may be mitigated or reduced and thus, in some sense, a solution approximated. The first condition is realism. Facts must be faced frankly, without evasion or self-deception out of false loyalty. Only then will it become possible to understand the underlying forces at work and to frame a program of reform.

Of the institutional reforms which first come

under consideration, the one most discussed is governmental control or administrative regulation of unions. I do not believe that anything really worth while is to be accomplished along this road; the medicine would probably be worse than the disease. Administrative control of unions by the government is essentially a totalitarian measure and would deprive the unions of the independence and freedom of action that is their very reason for existence. Whatever may prove to be necessary in the emergency of war, such a system of over-all governmental control, instituted as part of our normal peacetime regime, would have the most disastrous effect on democracy far beyond the confines of the trade-union movement.

Nor would the conversion of the unions into quasi-governmental bodies necessarily serve to protect the masses of members from abuse of power by union officials. On the contrary, the probabilities are that this process would actually increase the arbitrary power of union officials, who would then come to constitute a fused government-union bureaucracy. Such, at least has been the experience hitherto, for every extension of the quasi-public character of unionism under recent New Deal legislation has brought additional authority and power to the trade-union officialdom.

Another favorite panacea in business and journalistic circles is the incorporation of unions; this,

we are told, will make them more "responsible." There is a vast literature on the subject, running back several decades, which it would be out of place even to summarize here. But the net conclusion seems to be that while the compulsory incorporation of unions might well prove a dangerous impediment to their legitimate functioning, it would have little if any effect in making them more democratic or responsible labor organizations. The whole project seems to be rather pointless in the present context.

Whatever institutional reforms are suggested must be within the trade-union movement itself, although, of course, they may be implemented with public sanctions. Thus, I believe it is futile to talk of any reform of trade-union regimes without some effective guarantee of the elementary civil rights of members, and as things stand, such a guarantee, to mean anything, must somehow be enforceable at law, perhaps through special tribunals. It seems both absurd and intolerable that a man who is protected by the federal and state constitutions in his rights to free speech, free press and free assembly, should be subject to arbitrary punishment by his union officials for exercising precisely those rights—for denouncing what he believes to be official misdeeds, for issuing a leaflet, for organizing opposition meetings. A person who has his "natural rights" thus flagrantly violated should at the very

least have the opportunity of appealing to the courts for effective protection and relief.

It should be recognized that the question is by no means merely an academic one to be debated interminably. Unions today exercise quasi-governmental powers under the Wagner Act and similar legislation, and they cannot dodge public responsibility. They cannot welcome and court public protection and then turn around and claim that the public has no legitimate interest in their internal affairs, which are no longer quite internal. Unions are, in fact, no longer purely voluntary private organizations to which the individual worker may or may not belong as he sees fit. They are semi-public and at least partially compulsory. Some form of public or quasi-public responsibility is inevitable; the only question is: which shall it be—totalitarian control from above by governmental administrative agencies or effective judicial protection of civil rights in harmony with the American democratic tradition?

Along with the guarantee of civil rights might very well come provisions for opening union finances to public scrutiny through full reports published periodically. Some advanced, democratic labor organizations, such as the International Ladies' Garment Workers' Union, do so today, and it would be well if all unions followed this example of their own volition and in good faith. A legal re-

quirement of such publicity could hardly, in my opinion, be regarded as unjust or oppressive.

The other problem, that of devising institutional reforms that will make for increasing self-government in unions, for increasing possibility of genuine membership participation in the affairs of the organization, is an immensely difficult one. Traditional reform measures, such as limited tenure or rotation in office, statutory regularity of meetings, referendum, etc., have proved either altogether futile or positively mischievous in their effects. It should be realized that the problem is often not one of forcing simple, obvious reforms on a recalcitrant union bureaucracy but rather one of devising practicable reforms for a willing, or at least not unwilling, administration to apply.

By and large, it would seem that the most fruitful approach is along the lines of systematic decentralization of power and devolution of function. The inherent tendency of organization, as I have pointed out, is quite in the other direction, so that consistency, purpose and planning will be required if anything is to be accomplished in this respect. A network, or hierarchy, of delegate bodies, each with a proper function no matter how limited and a proper authority no matter how circumscribed, might help bridge the chasm that now so often separates the group of all-powerful officials at the top from the great masses of rank-and-file members at

the bottom. Meetings organized by smaller units of a more organic character than the ordinary miscellaneous general membership meeting might prove useful. Even if these measures and others like them result in nothing more than drawing a broader section of the membership into active participation in union affairs, it would be something. At bottom, it is a problem of fostering democracy at the "grass roots," of creating expanding possibilities of genuine self-government at the lowest levels of the organizational pyramid.

But fundamentally, institutional changes, no matter how ingenious and well contrived, are bound to remain a dead letter unless there is a new spirit to animate the new and improved institutions. What is most needed is a profound transformation in the moral atmosphere. What is needed is the creation of a labor conscience.

Among the masses, a labor civic morality must come into being. Today there is virtually no such thing. Improper conduct, even corruption, meets with no special resentment or indignation in the labor movement; as long as the union leaders "deliver the goods" in terms of protection and service, wages and hours, anything goes. There is no labor public opinion on the alert to rebuke excesses and check abuses, as there is, for example, in some re-

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ligious communities. There are no moral sanctions or restraints emanating from the masses of workers operative in the labor movement. This lack is but an aspect of labor's general social immaturity and absence of self-consciousness.

As far as leaders are concerned, what is fundamentally needed is a powerful social idealism capable of mitigating, controlling and transcending the crudities of personal ambition and power politics. Such a moral dynamic once existed to some degree in socialism, which was the conscience of the labor movement. Today, with the decline of the socialist faith, labor is left without a conscience, without a moral dynamic, and thus without protection against the impersonal mechanism of organization and the human lust for power.

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